

5-18-11

To the City Council,

My Wife and I live at 3720 Ocean Blvd. directly accross the street from Mr. Fishers Home. We approve the Height of The future Proposed residence at 3725 Ocean Blvd. Please Contact us at 949-759-312 or at 714-745-2344 if you have any questions.
Thank You

Carl Kewane

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PLANNING DEPARTMENT
MAY 19 2011
CITY OF NEWPORT BEACH



May 18 2011 6:53PM HP LASERJET FAX

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MAY 19 2011

Correspondence

Item No. 2b

Fischer Residence

p. 1

PA2010-034

CITY OF NEWPORT BEACH

Derek M. Torley
227 Marguerite Ave.
Corona Del Mar, 92625
May 18, 2011

Chairman and Member of the Planning Commission
City of Newport Beach
3300 Newport Blvd.
Re: Variance: VA2010-001
Ref: 3725 Ocean Blvd. Corona Del Mar.

Dear Members of the Planning Commission,

Allow me first to introduce myself as a 36 year resident of Corona Del Mar who is well versed in issues of construction as well as view preservation. I have reviewed the plans as well as the issues related to the variances requested by Dr. Desmond Fischer with respect to his proposed building project for his new home at 3725 Ocean Blvd.

I wish to affirm my full support for Dr. Fischer's new home construction and also want to voice my strong support for the very reasonable variance requests made.

Many homes along Ocean Blvd have already been granted variances for building height exceeding the normal envelope and to exceed curb height as necessary for garage and house entry. As well, on the Ocean side, the proposed building is well within the string line and in fact even behind the string line to the North in consideration of the neighbor on that side.

The proposed new home will significantly enhance public views along Ocean Blvd. as the new property is much lower than the old property. Even the portion above curb height is restricted to the minimum necessary for the garage and house entry and to allow for handicapped access. The North portion of the new home will be significantly below curb height further enhancing views. Aesthetically the house will add to the beauty of the neighborhood, improve home owner views across the road and improve property values and the tax base for all residents.

Thank you for taking the time to read my comments in full support of the new construction and variances requested for 3725 Ocean Blvd., Corona Del Mar, 92625

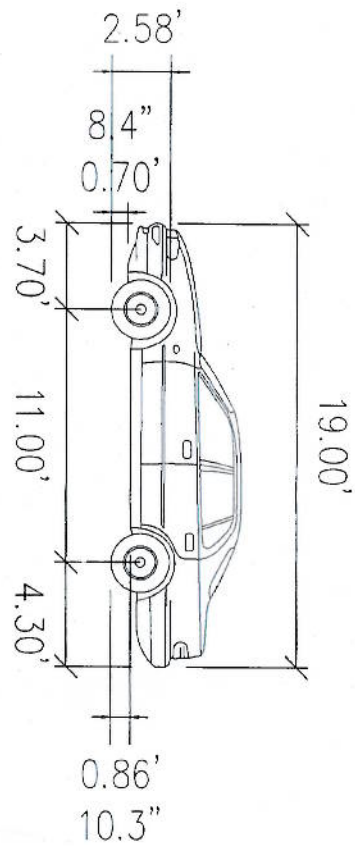
Yours truly,

Derek M. Torley

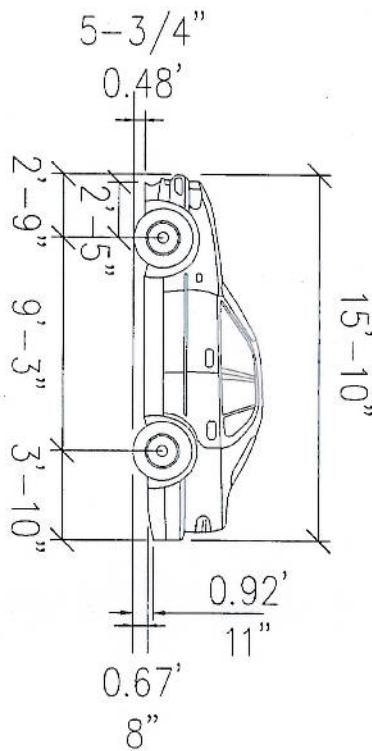
Derek M. Torley

for Dr. Fischer

AASHTO STANDARD VEHICLE TEMPLATE



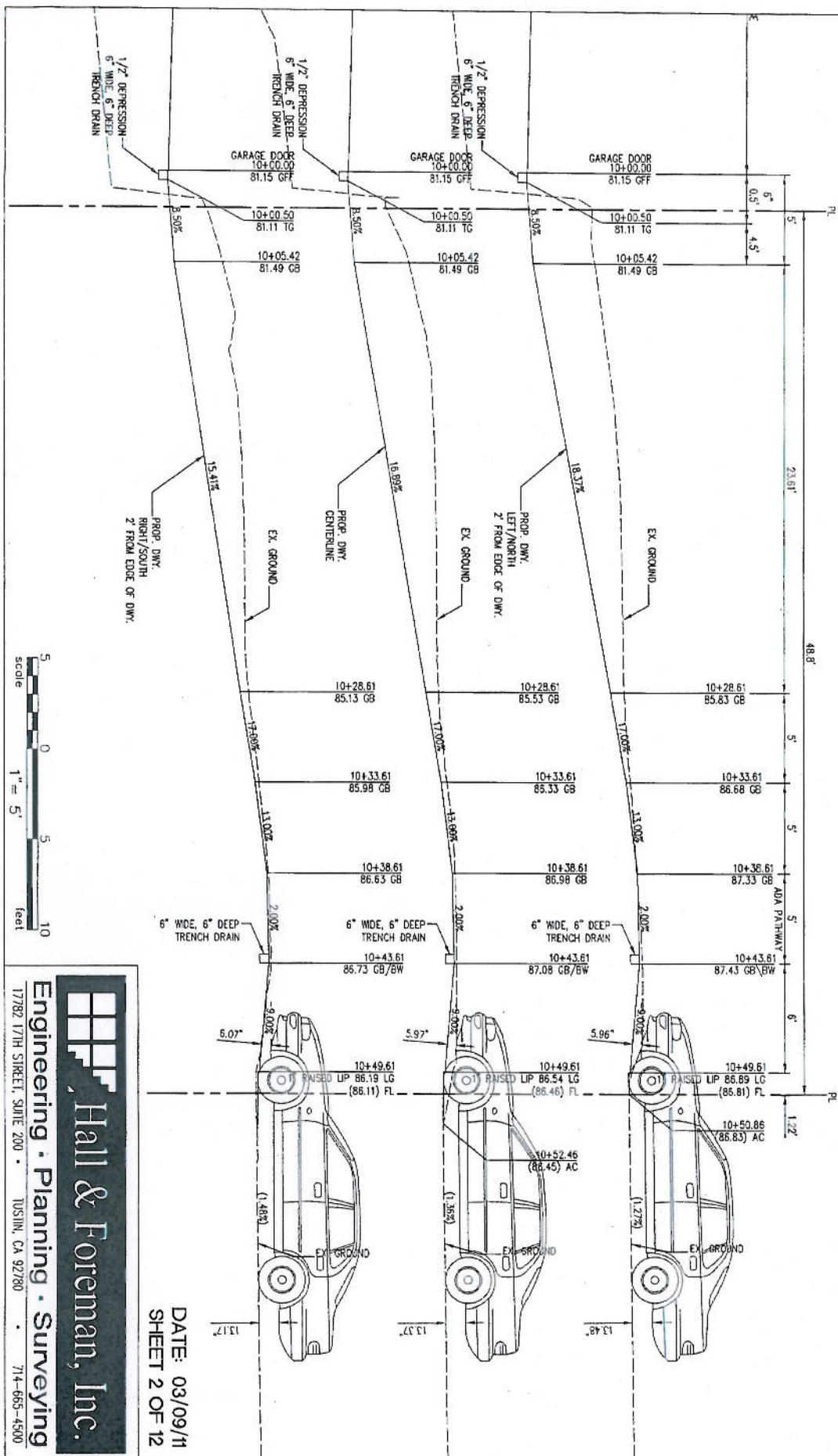
MODIFIED STANDARD VEHICLE TEMPLATE (LOWERED)



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DATE: 03/09/11
SHEET 1 OF 12

AASHTO STANDARD VEHICLE TEMPLATE



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DATE: 03/09/11
 SHEET 2 OF 12

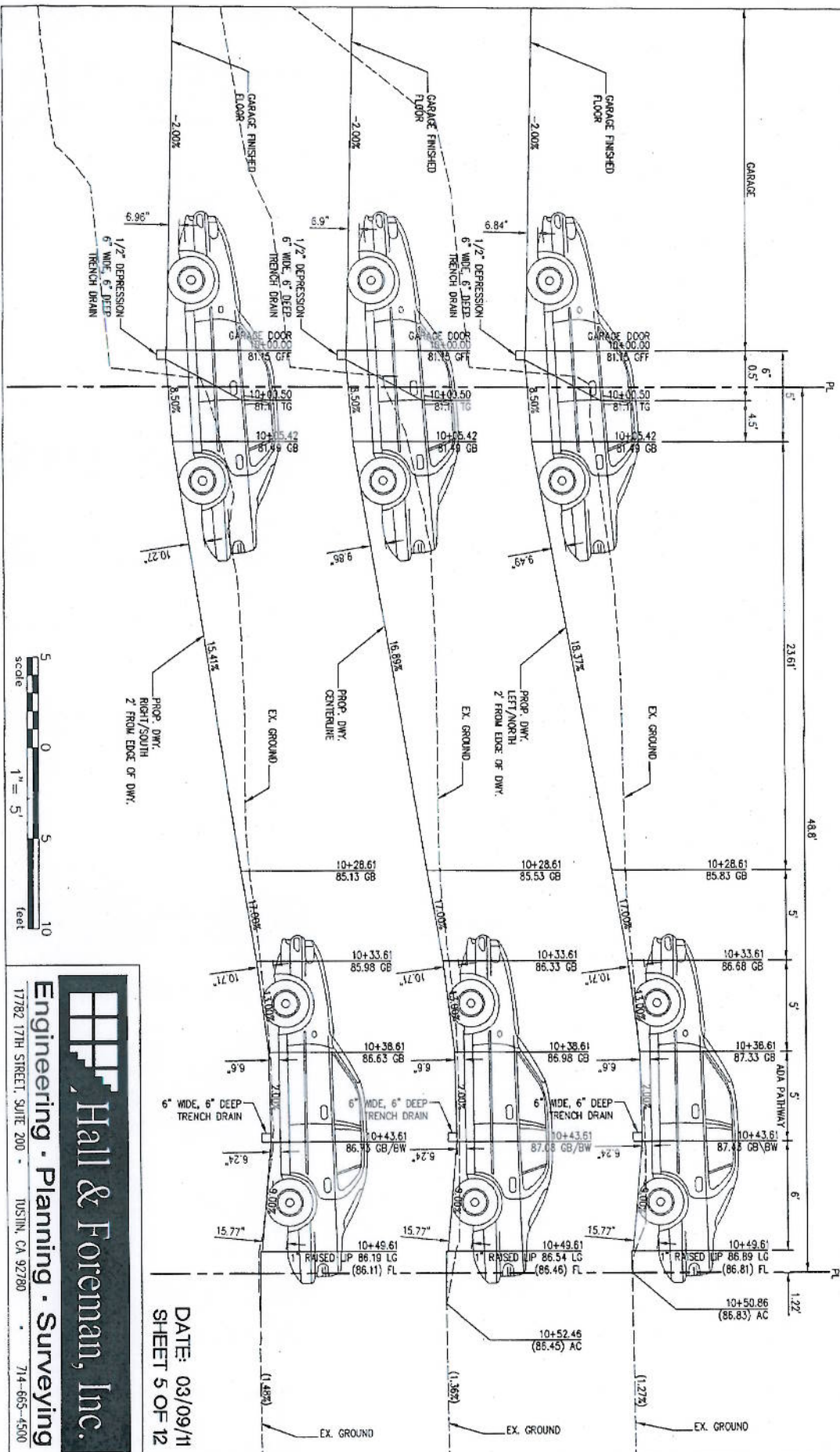
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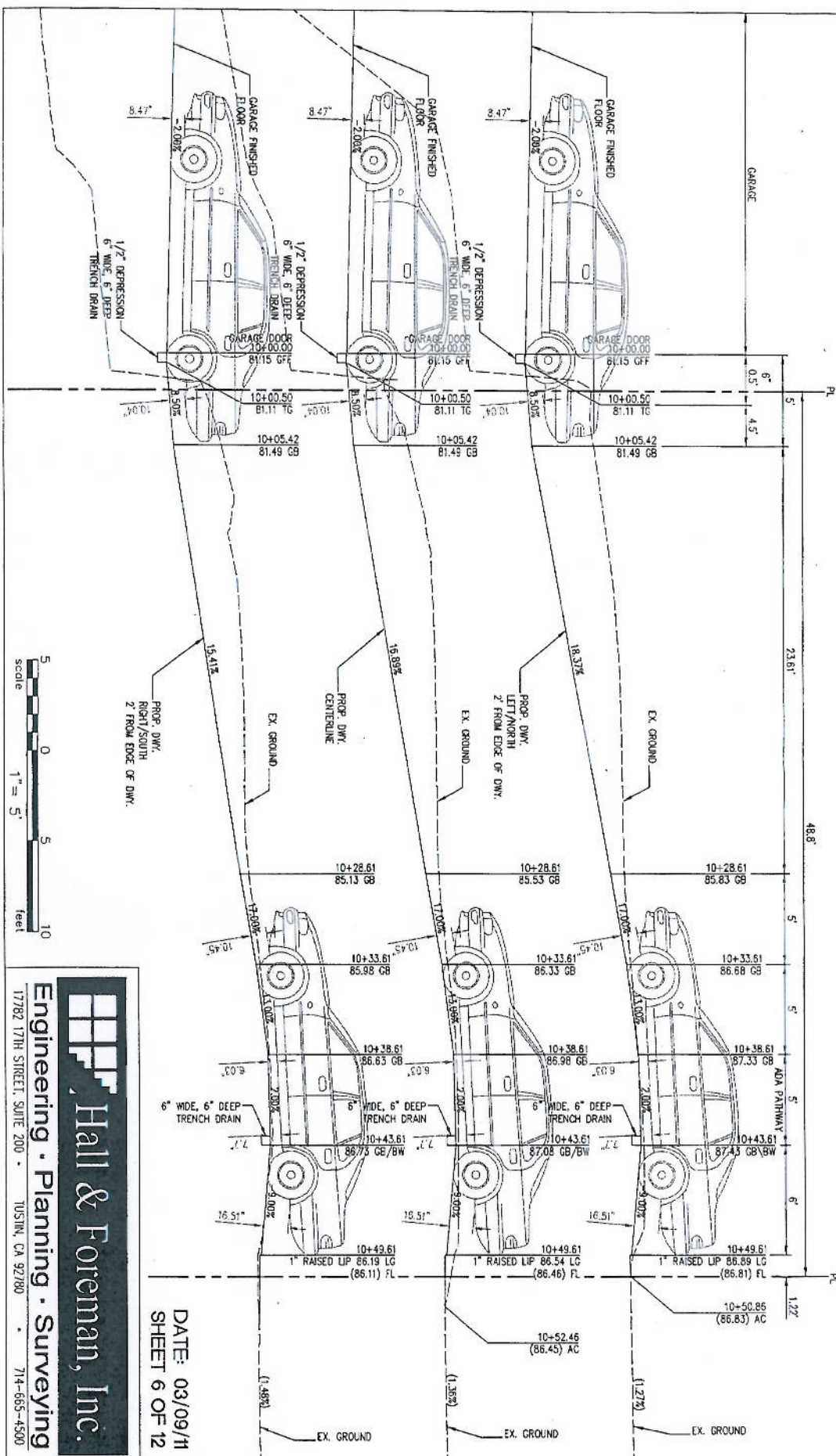


DATE: 03/09/11
SHEET 5 OF 12

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714-665-4500

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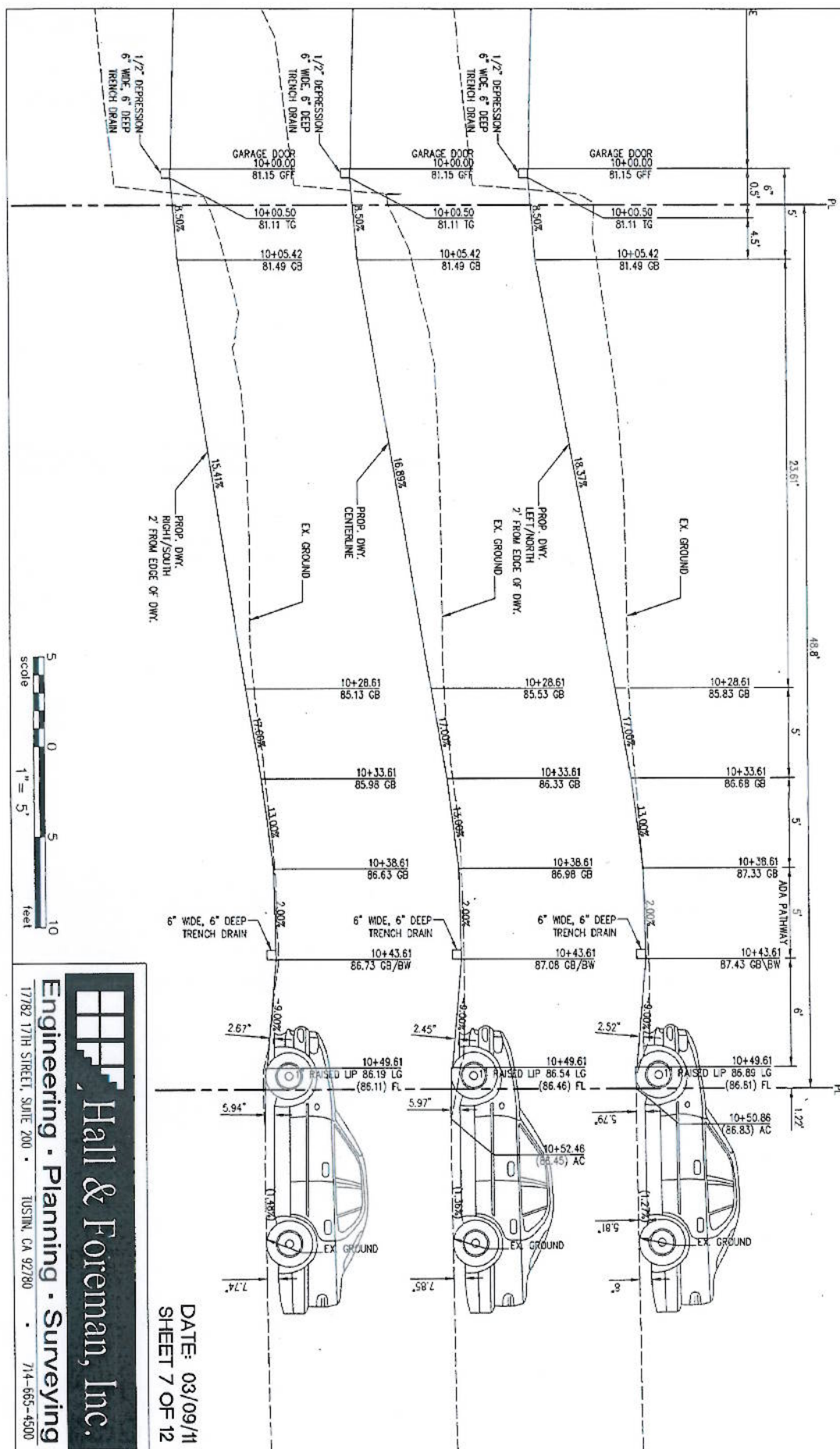
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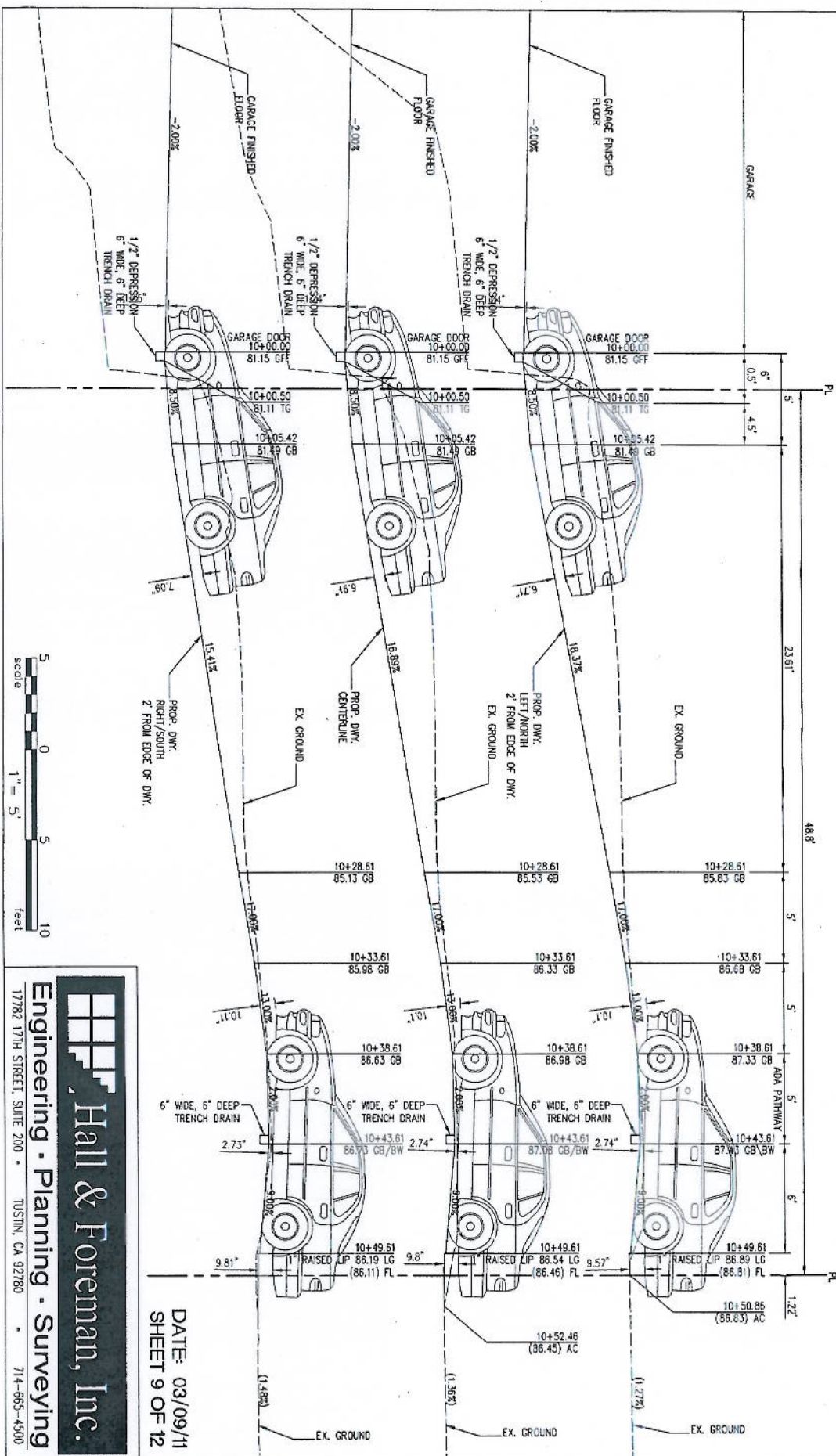
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 SHEET 7 OF 12

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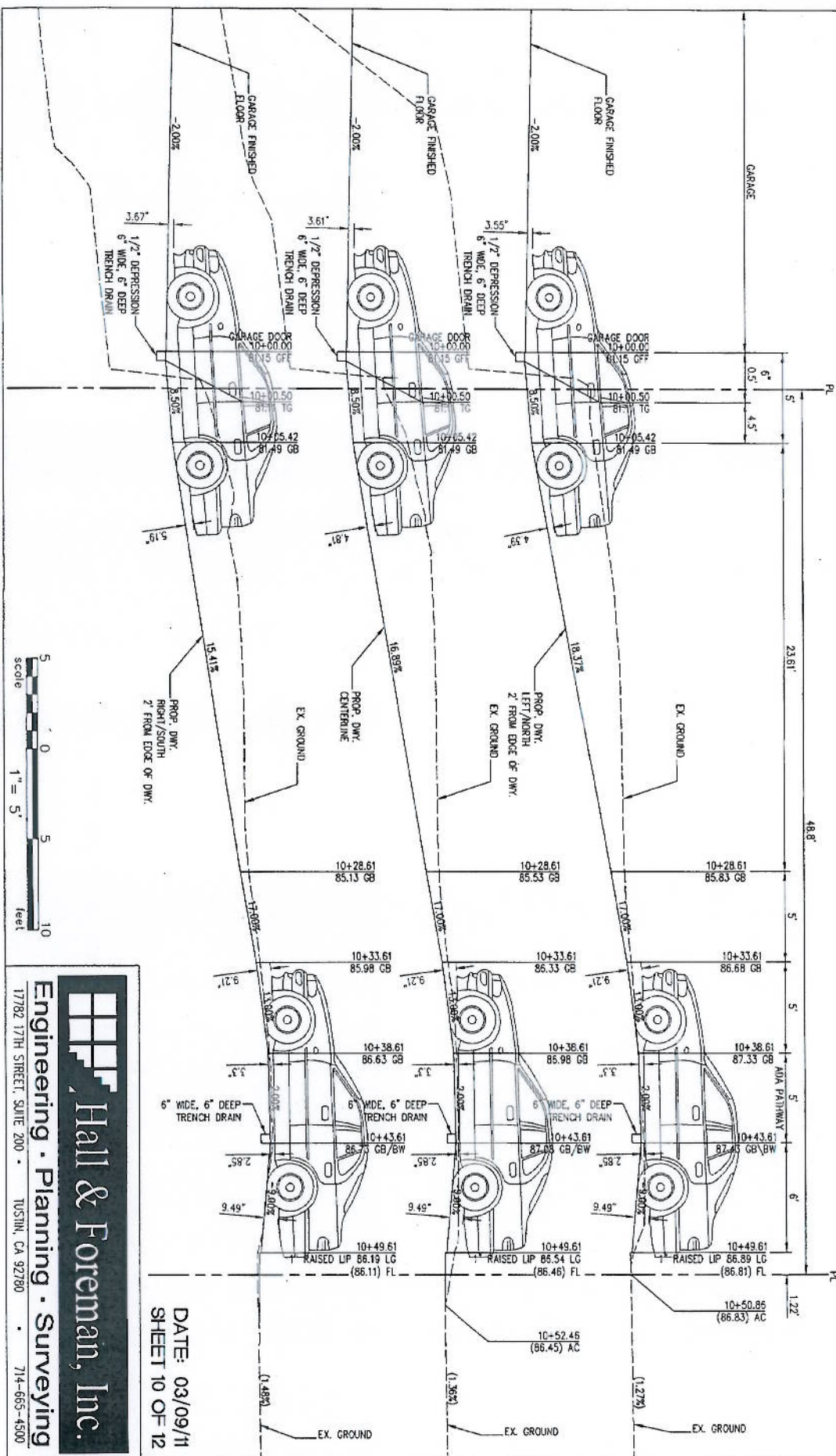
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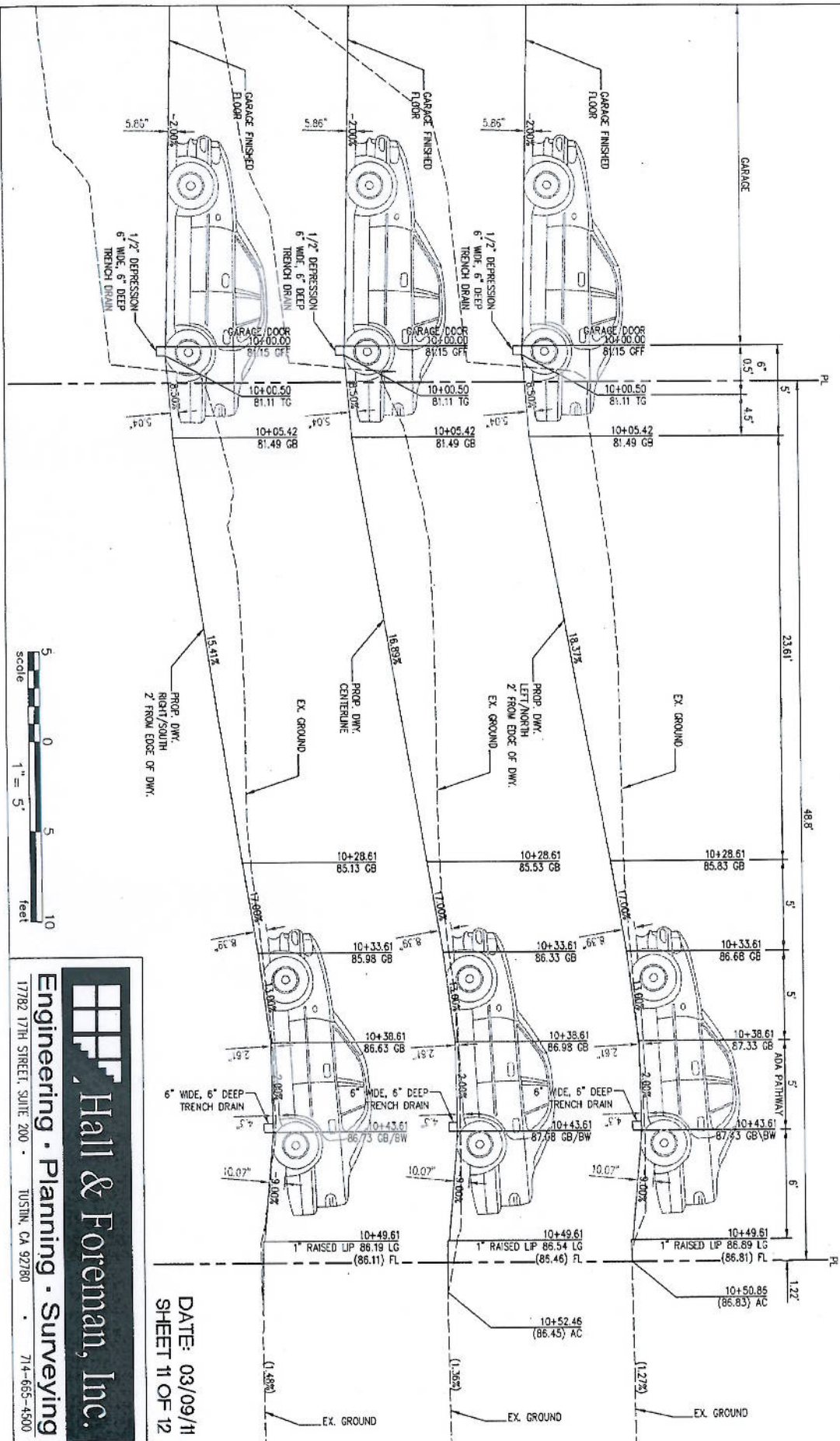
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 SHEET 10 OF 12

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DATE: 03/09/11
 SHEET 11 OF 12

GOOD EVENING MEMBERS OF THE PLANNING COMMISSION. MY NAME IS DESMOND FISCHER AND I HAVE BEEN THE OWNER OF THE 3725 OCEAN BLVD PROPERTY SINCE 1991. I WANT TO THANK THE PLANNING COMMISSION STAFF WITH WHOM MY ARCHITECT - JOHN MCINNES - HAS WORKED DILLIGENTLY NOW FOR SEVERAL YEARS.

IN MAKING THIS APPLICATION, I WAS FACED WITH THE ALTERNATIVES OF A MAJOR REMODEL OF THE EXISTING STRUCTURE OR THE MORE COMPLICATED TASK OF BUILDING A NEW HOME WHICH WHILE ALLOWING ME MORE LIVING SPACE NECESSITATES DEMOLITION OF THE EXISTING RESIDENCE AND CONSTRUCTION OF A MUCH LOWER HOUSE. THERE WILL BE A NEGATIVE IMPACT TO ME AS THE OWNER SINCE THIS ROUTE MAKES GARAGE ACCESS MORE DIFFICULT AND RESTRICTS VIEWS FROM THE NEW HOUSE SINCE BEING LOWER WILL RESULT IN RETAINING WALLS BLOCKING LATERAL VIEWS FROM MOST OF THE DWELLING. I DO BELIEVE HOWEVER THAT THE DIRECTION I HAVE CHOSEN WILL ULTIMATELY RESULT IN A MORE ATTRACTIVE HOME AND BE A BENEFIT TO MYSELF, THE CITY AND MY NEIGHBORS.

THE CURRENT STRUCTURE IS QUITE FRANKLY A BLIGHT ON THE NEIGHBORHOOD. THE HEIGHT OF THE STRUCTURE, THE EXISTING GARAGE AND THE PRIVACY WALL BLOCK VIRTUALLY ALL VIEWS OF THE OCEAN FROM THE STREET SIDE OF THE PROPERTY.

THE NEW STRUCTURE WILL USE TOP QUALITY MATERIALS, BE CLAD IN LIMESTONE AND AS WELL THE ROOF WILL UTILIZE LIMESTONE TILES RATHER THAN LESS EXPENSIVE MATERIAL SUCH AS ROCK, GRAVEL, OR DECKING MATERIAL. THIS WILL ADD ABOUT \$50,000 TO CONSTRUCTION COST BUT PROVIDE MUCH BETTER AESTHETICS TO SET OFF AND ENHANCE THE VIEW OF THE OCEAN FOR THE WALKING PUBLIC AND NEIGHBORS.

IN SUPPORT OF MY APPLICATION, I WOULD LIKE TO OFFER THE FOLLOWING:

WE ARE ASKING FOR VARIANCES IN 3 AREAS. A) ENCROACHMENT INTO MY FRONT YARD SETBACK ;B) TO EXCEED CURB HEIGHT FOR GARAGE AND ENTRY ; AND C) TO EXCEED THE MAXIMUM 24 FOOT BUILDING HEIGHT FOR AN EXTREMELY SMALL PORTION OF THE TOP LEVEL.

1. WITH RESPECT TO ENCROACHMENT INTO THE FRONT SETBACK, LET ME SAY THAT THIS HAS ALREADY BEEN GRANTED NUMEROUS TIMES ON OCEAN BLVD. AND WHILE IN OUR CASE THIS IS GOING DOWN 3 LEVELS , IT CAUSES NO NEGATIVE IMPACT ON THE SITE, OR TO THE CITY'S INTEREST OR TO PUBLIC VIEWS. IT ALSO ALLOWS US TO

DESIGN THE OCEAN SIDE ASPECT OF THE HOUSE IN A MORE ATTRACTIVE WAY SO AS TO BE AN AESTHETIC BENEFIT WHEN LOOKING FROM THE SEA TOWARD THE BLUFF AREA. IT ALSO ALLOWS THE HOUSE TO BE STEPPED BACK FROM THE OCEAN SIDE PROVIDING A BENEFIT TO MY ADJOINING NEIGHBORS.

2. IN ADDITION, WE HAVE ELIMINATED OUR ORIGINAL REQUEST FOR A FRONT PATIO WHICH WOULD HAVE ENCROACHED FURTHER INTO THE RIGHT OF WAY ALTHOUGH THIS BENEFIT HAS ALREADY BEEN GRANTED TO OWNERS OF OTHER PROPERTIES ON OCEAN BLVD. IN THE IMMEDIATE VICINITY.
3. IN REGARD TO OUR SECOND REQUEST WHICH IS TO EXCEED CURB HEIGHT FOR THE GARAGE AND ENTRY: ,
4. OUR MAXIMUM HEIGHT ABOVE CURB IS 3' - 10.5" AND IS 7" LOWER THAN THE ABOVE CURB HEIGHT OF THE ADJOINING PROPERTY AT 3729 OCEAN BLVD . WHICH HAS BEEN GRANTED THE SAME VARIANCE AS WE ARE REQUESTING. THIS VARIANCE IS NECESSARY DUE TO THE UNIQUE NATURE OF THE LOT WHICH HAS A SHORT DISTANCE FROM CURB TO GARAGE, AND A SIGNIFICANT SLOPE ALONG THE OCEAN BLVD ROADWAY AND CURB AS IT GOES FROM NORTH TO SOUTH. WITHOUT THIS VARIANCE IT WOULD NOT BE POSSIBLE TO ACCESS THE GARAGE. THIS PROPERTY HAS ABOUT 12 TO 15 FEET LESS DISTANCE FROM THE CURB TO THE FRONT OF THE GARAGE AS COMPARED TO THE RECENT NEW CONSTRUCTION AT 3631 OCEAN BLVD. WHICH IS THE REASON THAT OUR GARAGE IS ABOVE CURB HEIGHT.
5. THE INTERNAL GARAGE HEIGHT HAS BEEN DESIGNED TO THE MINIMUM POSSIBLE HEIGHT OF 7' 11" NECESSARY FOR A GARAGE DOOR. IN ADDITION, THE ADJACENT ENTRY TO THE HOUSE HAS SIMILARLY BEEN DESIGNED TO HAVE AN INTERNAL HEIGHT OF 8' WHICH IS THE MINIMUM ALLOWABLE FOR AN ELEVATOR AND ADEQUATE WHEELCHAIR ACCESS AS ONE OF THE OCCUPANTS OF THE HOME WILL BE MY ELDERLY MOTHER AND AS WELL , I WOULD LIKE TO THINK THAT I TOO COULD CONTINUE TO OCCUPY THE HOME IN MY LATER YEARS SHOULD I TOO NEED HANDICAPPED ACCESS, A FEATURE NOW NORMALLY CONSIDERED BOTH NECESSARY AND HUMANITARIAN IN ALL PUBLIC BUILDINGS AND WHICH THE CITY ITSELF HAS APPLIED IN MY CASE WITH RESPECT TO DRIVEWAY AND SIDEWALK CONSTRUCTION.

6. IT IS NOT POSSIBLE TO BUILD THE GARAGE LOWER AS IT WOULD NOT BE POSSIBLE TO DRIVE DOWN THE DRIVEWAY DUE TO THE STEEPNESS. TO CONFIRM THIS WE HAVE HIRED AN INDEPENDENT ENGINEERING FIRM TO STUDY TYPICAL CAR CLEARANCES AND DRIVEWAY GRADES TO DETERMINE THE FINAL GRADE. MY ARCHITECT IS ABLE TO FURTHER EXPLAIN THIS ITEM.
7. TO OFFSET THIS PORTION OF THE HOUSE BEING ABOVE CURB, WE HAVE DESIGNED THE FOLLOWING FEATURES TO CREATE VIEW CORRIDORS IN OTHER AREAS IN RECOGNITION OF THE BALANCE BETWEEN THE OWNER'S RIGHT TO BUILD AND THE ABILITY OF THE PUBLIC TO ENJOY VIEWS AS MUCH AS POSSIBLE.
8. ORIGINALLY IN COMPLIANCE WITH PUBLIC WORKS REGULATIONS WE WERE TO HAVE A 15% GRADE TO THE DRIVEWAY. IN WORKING WITH PLANNING STAFF AND THE CITY ENGINEER WE WERE ABLE TO DESIGN A DRIVEWAY SAFELY WITH A STEEPER GRADE REDUCING THE GARAGE HEIGHT BY 1' 3".

WE HAVE ELIMINATED THE CHIMNEY AND ARE USING SIDE VENTING TO REMOVE A VIEW OBSTRUCTION THAT EXISTS ON EVERY OTHER HOME ON OCEAN BLVD. REGARDLESS OF WHETHER THOSE HOMES ARE OR ARE NOT ABOVE CURB HEIGHT.

WE HAVE DESIGNED THE NORTH ONE THIRD OF THE HOUSE SO THAT IT IS TOTALLY BELOW THE CURB HEIGHT CREATING AN ENHANCED VIEW CORRIDOR IN THIS AREA. WE COULD HAVE SLOPED THE ROOF, INCREASED INTERNAL CEILING HEIGHT AND REDUCED THE VIEWS BY MAINTAINING CURB HEIGHT BUT WE HAVE NOT DONE THIS CHOOSING TO GIVE BACK A VIEW CORRIDOR TO THE NORTH IN EXCHANGE FOR THE NECESSARY INCREASED HEIGHT OF THE GARAGE AND ENTRY PORTIONS OF THE HOUSE.

BY USING LIMESTONE TILE ON THE ROOF WE WILL ENHANCE THE ASTHETICS OF THE TRANSITION ZONE BETWEEN ROOF AND OCEAN AND WILL HAVE SPENT AN ADDITIONAL \$50,000 TO ACHIEVE THIS BENEFIT FOR NEIGHBORS AND THE PUBLIC.

THE OVERALL RESULT IS THAT NEIGHBORS OWNING HOMES ACROSS THE STREET WILL HAVE INCREASED VIEWS AND INCREASED PROPERTY VALUES AND THE WALKING PUBLIC WILL HAVE STUNNING OCEAN VIEWS OVER THE NEW PROPERTY WHERE NONE EXIST TODAY.

9. THE CITY WILL BENEFIT FROM AN INCREASE IN THE TAX BASE BOTH ON THE SUBJECT PROPERTY AS WELL AS FROM ITS' EFFECT ON NEIGHBORING PROPERTIES.
10. IN REGARD TO OUR REQUEST TO EXCEED MAXIMUM BUILDING HEIGHT IT MUST BE SAID THAT THIS EFFECTS ONLY A SMALL PORTION OF THE UPPER BEDROOM ON THE NORTH SIDE OF THE PROPERTY AND THIS AREA IS ALREADY BELOW CURB HEIGHT EVEN WITH THIS HEIGHT VARIANCE. SIMILAR HEIGHT VARIANCES HAVE ALREADY BEEN GRANTED ON OCEAN BLVD. IN THIS CASE IT IS AGAIN THE UNEVEN UNIQUE TOPOGRAPHY OF THE LOT THAT NECESSITATES THIS REQUEST. THE LINE OF THE BUILDING, THE INTERNAL VOLUME OF THE HOME AND THE ROOF WERE NOT DESIGNED SO AS TO NEED TO ASK FOR THIS VARIANCE BUT RATHER THE WAY THE LAND SLOPES REQUIRES THIS SMALL CORNER OF THE PROPERTY TO HAVE A VARIANCE.
11. IN CONSIDERATION FOR THE NEIGHBOR TO THE NORTH WHERE WE ARE ASKING FOR A HEIGHT VARIANCE WITHOUT WHICH WE WOULD LOSE THE ABILITY TO BUILD A BEDROOM, WE HAVE MOVED THE STRUCTURE BACK FROM THE STRING LINE BY 2 FEET 5 " INCHES. THIS RESULTS IN A COMPLETELY UNOBSTRUCTED LATERAL OCEAN VIEW BEING GIVEN MY NEIGHBOR TO THE NORTH FOR THEIR KITCHEN NOOK AREA FROM A SIDE WINDOW , WHICH IS NOT NORMALLY, EVEN A BUILDING CONSIDERATION ON OCEAN BLVD. THEY ALREADY HAVE A COMPLETE FORWARD VIEW WITHOUT OBSTRUCTION AND NO ONE ELSE ALONG OCEAN BLVD.HAS DELIBERATELY BUILT SHORT OF THE OCEAN SIDE STRING LINE AS WE ARE DOING, NOR BEEN ASKED TO. THIS IS TRUE EVEN IN LIGHT OF THE FACT THAT THE PROPERTY TO THE NORTH EXCEEDS THE CURB HEIGHT BY 9 FEET 6 INCHES AND THAT PROPERTY DOES NOT AFFORD ANY VIEW TO THE WALKING PUBLIC OR NEIGHBORS ON THE OPPOSITE SIDE OF THE STREET. FURTHERMORE, LATERAL VIEWS ARE NOT MATERIAL ON SUCH NARROW LOTS WHERE WORLD CLASS BREATHTAKING VIEWS ARE THE

FORWARD ORIENTED VIEW . I, IN FACT WILL LOSE MOST OF THE POTENTIAL LATERAL VIEWS FROM THE NEW PROPERTY DUE TO THE LOWERED HEIGHT AND FROM PULLING BACK FROM THE STRING LINE ON THE NORTH SIDE.

12. WE HAVE ALSO KEPT THE SIZE OF THE HOUSE BELOW THE MAXIMUM ALLOWED BUILD SIZE BY 340 FEET.

I WANT TO THANK THE COMMISSION MEMBERS FOR THEIR CONSIDERATION OF MY COMMENTS AND THOSE MEMBERS OF THE PUBLIC WHO HAVE COME TO SHARE THEIR VIEWS AND NOW WOULD LIKE TO INTRODUCE MY ARCHITECT MR. JOHN MCINNES WHO WILL PRESENT EXHIBITS AND ANSWER QUESTIONS.